

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

George Thomas Milton, Jr.,)	
)	
Plaintiff,)	C.A. No. 2:07-3921-HMH
)	
vs.)	ORDER
)	
Ofc. Wilson, E.; Ofc. Gooden;)	
Captain A. Thomas; Lt. Richson;)	
Warden Margaret Bell,)	
)	
Defendants.)	

This matter is before the court on Plaintiff George Thomas Milton, Jr.’s (“Milton”) pro se request for reconsideration of an order of United States Magistrate Judge Robert S. Carr, pursuant to Rule 72 of the Federal Rules of Civil Procedure. On July 17, 2008, Milton requested court-appointed counsel. By order dated July 31, 2008, the motion was denied. This appeal of Magistrate Judge Carr’s decision followed.

The district court may “reconsider any pretrial matter [decided by a magistrate judge] where it has been shown that the magistrate judge’s order is clearly erroneous or contrary to law.” 28 U.S.C. § 636(b)(1)(A); see also Fed. R. Civ. P. 72(a). As a general proposition, the court is not obliged to appoint counsel for the representation of pro se litigants in civil actions. See, e.g., Sanchez v. U.S. Postal Serv., 785 F.2d 1236, 1237 (5th Cir. 1986). Instead, the appointment of civil counsel is committed to the sound exercise of the court’s discretion, 28 U.S.C. § 1915(e)(1), and should be allowed only in exceptional cases, Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975).

Magistrate Judge Carr found that Milton failed to articulate the existence of any exceptional circumstances warranting the appointment of counsel. This court similarly finds that Milton has failed to articulate any exceptional circumstances and has not sufficiently explained the error of Magistrate Judge Carr's decision.

Accordingly, the order of Magistrate Judge Carr denying the appointment of counsel is affirmed. Milton's request for reconsideration of that order, docket number 36, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
August 27, 2008